

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	22md3043 (DLC)
IN RE: Acetaminophen - ASD-ADHD	:	24cv978 (DLC)
Products Liability Litigation	:	
	:	<u>FINAL JUDGMENT:</u>
-----	X	24cv978

DENISE COTE, District Judge:

On December 18, 2023, the defendants' Rule 702 motions regarding the plaintiffs' proposed general causation expert testimony were granted. An Order of January 16, 2024 provided that plaintiffs in any Member Case of this MDL in which an SFC was served on or after January 12, 2024 shall have 21 days from the date of service to show cause why summary judgment should not be entered in favor of the defendants named in that Member Case for failure to 1) present admissible evidence of general causation; 2) show any error in the December 18, 2023 Rule 702 Opinion; and/or 3) show why the December 18, 2023 Rule 702 Opinion does not apply to their Member Case.

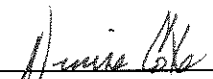
Plaintiffs in Member Case 24cv978 served their SFC on February 9, 2024. The defendant filed a letter on March 6 indicating that plaintiffs in Member Case 24cv978 did not file any show cause response by the deadline of March 1, 2024. Subsequently, plaintiffs filed a late response to the January 16 Order to Show Cause. The plaintiffs' stated reason for missing the deadline -- that plaintiffs were under the impression that

all ADHD cases filed after the Order to Show cause would be part of the group relying on Dr. Ness's expert opinion -- is not a sufficient reason for failing to follow a Court order. Thus, it is hereby

ORDERED that, for the reasons set forth in the Court's Opinion and Order of December 18, 2023, and in the January 16, 2024 Order to Show Cause, final judgment is entered for the defendant in Member Case 24cv978 under Fed. R. Civ. P. 58.

IT IS FURTHER ORDERED that Member Case 24cv978 is dismissed with prejudice.

Dated: New York, New York
March 6, 2024



DENISE COTE
United States District Judge